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8 Attorneys for Defendant

9
10 IN THE UNITED STATES DISTRICT COURT
11
12 FOR THE EASTERN DISTRICT OF CALIFORNIA
13

14 DAVID M. LEDESMA,

15 Plaintiff,

16 v.

17 JO ANNE B. BARNHART,
18 Commissioner of
19 Social Security,

20 Defendant.

CASE NO. **2:04-CV-01398-DAD**

STIPULATION AND ORDER
SETTLING ATTORNEY'S FEES
PURSUANT TO THE EQUAL
ACCESS TO JUSTICE ACT

21 IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,
22 subject to the approval of the Court, that counsel for Plaintiff be awarded attorney's fees under the
23 Equal Access to Justice Act (EAJA) in the amount of SIX THOUSAND AND 00/100 DOLLARS
24 (\$6,000.00), said amount representing compensation for legal services rendered on behalf of Plaintiff
25 by her attorney in accordance with 28 U.S.C. § 2412(d).

26 This stipulation constitutes a compromise settlement of counsel for Plaintiff's request for all
27 fees under the EAJA, and does not constitute an admission of liability on the part of Defendant under
28 the EAJA. Payment in the amount of SIX THOUSAND AND 00/100 DOLLARS (\$6,000.00)

1 in fees, shall constitute a complete release from and bar to any and all claims counsel for Plaintiff
2 may have relating to EAJA fees in connection with this action, but such award will not prejudice any
3 future request for attorney's fees under the Social Security Act, 42 U.S.C. § 406(b).
4

5 The parties further stipulate that counsel for Plaintiff will provide a facsimile of this
6 stipulation bearing counsel's signature for retention in Defendant's case file, and hereby authorizes
7 counsel for Defendant to file this document in PDF format under the latter's Electronic Case Filing
8 password, pursuant to Local Rule 7-131.
9

10 DATED: January 9, 2006

/s/ Ann M. Cerney
ANN M. CERNEY

Attorney for Plaintiff

14 DATED: January 9, 2006

McGREGOR W. SCOTT
United States Attorney

16 By: /s/ Bobbie J. Montoya
17 BOBBIE J. MONTOYA
18 Assistant U. S. Attorney

Attorneys for Defendant

20 OF COUNSEL

21 LUCILLE GONZALES MEIS
22 Chief Counsel, Region IX

23 GERALYN A. GULSETH
24 Assistant Regional Counsel

25 U. S. Social Security Administration
26
27

28 Re: DAVID M. LEDESMA v. JO ANNE B. BARNHART, Case No. 2:04-CV-01398-DAD, Stipulation and Order Settling
Attorney's Fees Pursuant to the Equal Access to Justice Act

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ORDER

Upon stipulation of the parties, Counsel for Plaintiff in CASE NO. 2:04-CV-01398-DAD, **DAVID M. LEDESMA v. Jo Anne B. Barnhart**, is hereby awarded attorney fees in the amount of \$6,000.00, pursuant to the Equal Access to Justice Act.

APPROVED AND SO ORDERED.

DATED: January 12, 2006.



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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